

Issue: The relationship of private deed restrictions to county regulations

Issued on: January 23, 2008

Issued by: Jeff Ruggieri, Growth Management Director

1. The county cannot and will not enforce any deed restriction.
2. County codes and regulations do not supersede any deed restriction. When the two interact the more restrictive regulation will apply and enforcement of the regulation will fall to the entity with the more restrictive regulation in place.
3. The county will not hold up review of a project because it may be in violation of deed restrictions.
4. The county will inform any applicant of possible deed restriction issues when they are known to us. The county will instruct any applicant who may have deed restriction issues to coordinate with the owner(s) of the restriction to work the issue out. We will not and can not be involved. It is at the applicant's discretion to move forward with their project. The county will review the project for compliance with all applicable county codes and regulations.

Deed restrictions are a private contract between property owners and should be respected as just that.